



CITY OF WESTMINSTER

MINUTES

Environment Policy & Scrutiny Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Environment Policy & Scrutiny Committee** Committee held on **Monday 22nd June, 2015**, Room MG14, University of Westminster, 35 Marylebone Road, London NW1 5LS.

Members Present: Councillors Ian Adams (Chairman), Iain Bott, Thomas Crockett, Paul Dimoldenberg, Gotz Mohindra, Cameron Thomson, Jacqui Wilkinson and Jason Williams

Also Present: Councillor Heather Acton, Cabinet Member for Sustainability and Parking, Councillor Richard Beddoe, Cabinet Member for City Management, Councillor Audrey Lewis and Councillor Adnan Mohammed

1 MEMBERSHIP

- 1.1 Apologies for absence were received from Councillors Louise Hyams and Karen Scarborough. Councillor Gotz Mohindra replaced Councillor Hyams and Councillor Iain Bott replaced Councillor Scarborough.
- 1.2 The Chairman welcomed Councillors Paul Dimoldenberg and Jacqui Wilkinson who had recently been appointed as permanent Members of the Committee. He also welcomed Councillors Bott and Mohindra.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Paul Dimoldenberg declared in respect of the Baker Street Two Way Project agenda item that he lives on the corner of Marylebone Road and Lisson Grove. He did not consider this to be a prejudicial interest that would require him to withdraw from the meeting for this item. Councillor Adnan Mohammed declared that he lives on the corner of Seymour Place and Crawford Street and Councillor Audrey Lewis declared that she lives on the corner of Upper Montague Street and York Street and also that for over a decade she had worked in Baker Street.

3 MINUTES AND MATTERS ARISING

- 3.1 **RESOLVED:** That the minutes (open) of the meeting held on Monday 13 April 2015 be signed by the Chairman as a correct record of proceedings.

4 BAKER STREET TWO WAY PROJECT

- 4.1 The Committee considered a report on the Project. The Committee had discussed at the April meeting that this item particularly lent itself to Members walking along the route to examine the impact of the proposals first hand. This took place immediately prior to the meeting being held at the University of Westminster Campus in Marylebone Road.
- 4.2 The report was introduced by Graham King, Head of Strategic Transport Planning & Public Realm. He had addressed the Committee in September 2014 on a two way traffic schemes report. At that meeting he had agreed to keep the Committee informed of any progress regarding the Baker Street Two Way Scheme, including in the event of the commencement of the public consultation. The Project was also included on the Committee's Work Programme. A public consultation on the Project had now commenced on 28 May 2015 and would continue for a period of ten weeks until 31 July 2015. Mr King advised that the ten week period of consultation was longer than was typically the case for public consultations due to the complexity of the Scheme and the degree of interest that it was expected to generate. It was being jointly funded by private sources and Transport for London ('TfL'). He explained that the Council was the lead authority for the Project, working closely with TfL in respect of the Strategic Road Network ('SRN'). Matters to take into account included cycling initiatives, the operation of traffic signals and the operation of buses. A TfL consultation on the bus services, laybys and frequencies was expected to begin in the very near future.
- 4.3 Mr King emphasised that this was a consultation exercise and a huge amount of technical analysis had been carried out by officers and consultants. The acid test of the proposals was to put them before residents and businesses and to see what feedback would be received. There was no prior determination on the City Council's part with the consultation exercise forming a vital element. Any matters raised would be taken back to the agencies responsible with a view to making changes to the Scheme according to the individual policies of the Council and TfL.
- 4.4 Mr King stated that another scheme due to be consulted upon was the Mayor's proposal for Cycle Superhighway 11. This exercise was due to take place later in the summer. At one time it had been intended that this would go through Baker Street and Gloucester Place. It was now proposed that it would enter Regents Park effectively from St John's Wood, use the Outer Circle and exit at Portman Place. He added that to date in respect of the Baker Street Two Way Project consultation over 130 responses had been received since 28 May and many more were expected. Approximately 13,000

leaflets had been distributed by the Council in total. Officers were anticipating that they would be liaising closely with the organisations acting as witnesses at the current meeting, St Marylebone Society, Marylebone Association and Baker Street Quarter Partnership / Business Improvement District. Mr King added that officers would be happy to attend their meetings when invited and have further meetings on technical issues that are being raised. By the time officers responded to the matters raised in the consultation and started to prepare a report for consideration by the Cabinet Member for the Built Environment, Councillor Robert Davis, who was due to take a decision towards the end of 2015, it would be necessary to ensure that all the information that consultees had asked for had been provided.

- 4.5 The Committee heard evidence from the witnesses for this item who were local Ward Members for Bryanston and Dorset Square, Councillors Audrey Lewis and Adnan Mohammed and also Penny Alexander, Chief Executive, Baker Street Quarter Partnership / Business Improvement District; Michael Bolt, Chairman of Marylebone Association and Gabby Higgs, Chairman of St Marylebone Society.
- 4.6 Councillor Mohammed raised three points in relation to the Baker Street Two Way Project. Firstly, without having an overview of the TfL consultation on the bus routes, he believed it was difficult to come to an informed decision on the Project. Secondly, he had concerns that as a result of the proposals, ratruns would be created. He wished to be provided with further information on how the Active Traffic Management measures would prevent the ratruns. Thirdly, as part of the proposals it was not possible to turn left from Gloucester Place on to Marylebone Road. This would have an impact for the likes of York Street and Seymour Place and he wished to know how it was proposed the impact would be negated.
- 4.7 Councillor Lewis stated that during the decade or so she had worked in Baker Street it had been necessary to walk across Gloucester Place to and from home on a daily basis. This was a particularly difficult road for residents and workers to cross and she would support the concept of a two way scheme in principle. She did have concerns, however, regarding some of the consultation proposals. It had become apparent from the large scale detailed designs at one of the exhibitions held by the Council that certain streets would be two way and then would narrow to being one way. This issue had not been obviously apparent on the Council's website. She recommended that those who wished to know more about the proposals attend on one of the dates the exhibitions were being held.
- 4.8 The Chairman, addressing Mr King, made the point that the challenge the public faced was that this was arguably a hypothetical scheme which they were being asked to respond to now when some of the detail which might be implemented could be significantly different from that they were being consulted upon. He also asked Mr King to respond to the points raised regarding potential ratruns and the impact on the likes of York Street and Seymour Place from there being no left turn at the north end of Gloucester Place. Mr King responded on the first point that he would like consultees to raise their concerns at the earliest possible opportunity. Officers would not

treat that as their last and final word. Officers would potentially ask the consultees for more information in respect of their comments or clarify the position if officers believed that the consultees did not understand what was being proposed. Mr King requested that consultees respond via the questionnaire which was on the website. This was the easiest way for officers to capture all the information and share it with TfL and the consultants. If there was a formal revision to the Scheme, due consideration would have to be given to what form of further consultation would be necessary with further information being provided to residents and businesses. Mr King explained that there was a balance to be struck with the proposals including pedestrians having the ability to cross Marylebone Road more safely. In relation to potential ratrunning, Active Traffic Management was put forward as an essential part by the Mayor of ensuring that his Cycle Vision of 2013 is delivered. Ratrunning traffic would have to cross or enter the TfL main road network and would then be at a disadvantage. It was believed that the operational lights on the SRN would encourage people to make use of the appropriate streets. It was important to ensure that local residents were not inconvenienced in driving to the streets they live in or that tradesmen were not prevented from making deliveries. Mr King accepted that it was not possible as yet to see the whole picture because the bus consultation had not formally commenced. He expected both consultations to have been completed before the report to the Cabinet Member was submitted.

- 4.9 Gaby Higgs stated that the St Marylebone Society concerns itself with the whole of Marylebone but for the purposes of the Project because it was so complex the Amenity Society had particularly focussed its evidence on the northern part of Marylebone. The Society was aware of the many benefits the Project could bring to the area, had been discussing with stakeholders the development of such a scheme for a few years and had been consulted on the preliminary designs. The Society had encouraged residents to get involved. Ms Higgs stated that it was understood that the proposals were at a consultation stage but it was of concern that none of the matters the Society had raised had influenced the preliminary designs. This had created a lack of confidence in the consultation process. The Society had been supportive in principle of a Two Way scheme but there were residents who disagreed with them and following the proposals being submitted felt a sense of betrayal. She expressed the view that the information provided by the Council over the year leading up to the consultation had been confusing, including what had been set out in the preliminary scheme of October 2014.
- 4.10 Ms Higgs wished to bring the following points raised by residents about the consultation to the Committee's attention. Firstly, there was considered to be low awareness of the proposals. The launch leaflet had not been received in many cases by residents including half of the hundred or so attendees who had attended a public meeting held on 12 June. There was information on the leaflets which would not take place in any final scheme. For example, there were perspectives showing simultaneous pedestrian crossings at Baker Street which was a mistake but seen as misrepresentation. She stated that there were unresolved designs including a right turn at Allsop Place which she remarked had been admitted as a non-starter by TfL and other stakeholders. Ms Higgs expressed the view that the website was difficult to navigate.

Secondly, there was a lack of essential data, included predicted traffic flows. There was some confusion about whether the data related to the current traffic or the predicted 30% reduction in traffic TfL had in mind when Active Traffic Management was introduced. The different types of vehicles (coach, bus, lorry, car) should be separated out in any predicted volume data. It was impossible to assess the impact of buses at this stage. Ms Higgs made the point that it appeared that the TfL consultation would be online only which was discriminatory towards those who did not have online access. She expressed concern that TfL had approved the designs for the Baker Street Two Way Scheme in principle at this stage. Residents were requesting, firstly, that all through traffic be kept on the existing strategic TfL roads and the key to this was resolving the Baker Street / Gloucester Place junctions on the Marylebone Road. Secondly, they were requesting that there was less through traffic in the Dorset Square Conservation Area, to ensure that the character of the Conservation Area is retained and the residential amenity is preserved. Any proposals which could result in ratruns would be opposed. Thirdly, there needed to be more consideration in the proposals for the needs of pedestrians, especially between Marylebone Station and Baker Street Stations. Ms Higgs stated that some of the proposals were positive in relation to the pedestrians but Balcombe Street could potentially be semi-pedestrianised. There also needed to be more consideration for the needs of cyclists who could be directed away from the main roads. There were difficult junctions and convoluted routes for cyclists including the right turn out of Regents Park in Cycle Superhighway 11. Pollution levels also needed to be decreased in the area north of Marylebone Road. It was not known whether an Air Quality Impact Assessment would be carried out as part of the Scheme. Being just outside the ultra low emission zone, residents to the north of Marylebone Road were concerned that they would not benefit as much as the south part of Marylebone. The North Marylebone Residents Traffic Group was a lobbying group which had secured an agreement with UCL to undertake their own air pollution assessment beginning on 1 July.

- 4.11 Ms Higgs stated that if the Scheme proposals could fulfil the residents' requirements then the Society would be very keen to get involved as they could benefit north Marylebone. It was appreciated that the current situation with one way traffic was not ideal. If the requested criteria she had put forward were not met then the Society would oppose the Scheme. She requested that before any decision was made on the Scheme, the Environment P&S Committee make recommendations to the Council and its Partners. The recommendations would include resolving the plans at each junction in line with residents' views, extending the length of the consultation period to allow consideration of bus routes alongside the traffic flow data and air quality reports. There should be a commissioning of an air quality impact assessment across the Dorset Square Conservation Area in tandem with the proposals. The Council should organise an open public meeting where the major stakeholders and funders can respond directly to residents and local businesses questions.
- 4.12 Penny Alexander provided a powerpoint presentation of Baker Street Quarter Partnership's evidence. The Partnership was a Business Improvement District, a not for profit body representing 170 businesses and property

owners in the area. She stated that the Partnership's key point was that there should not be an urban motorway, the A41, passing through a strongly residential and commercial area. Through traffic was of no benefit to local residents and businesses. It was negative in terms of noise pollution and risks to pedestrians and cyclists. The removal of gyratories enabled streets to be calmer, more attractive and safer. There would be safer crossings and wider pavements. Ms Alexander expressed the view that gyratory systems were outdated. It had been constructed in 1961 as a six month experiment and when the car was prioritised over pedestrians and cyclists. The Partnership had commissioned a transport study which had looked at the disproportionate space being taken up by vehicular traffic, the fact it encouraged high speeds and there were narrow footways. The Partnership carried out surveys every year of their members and vehicular congestion was always a key concern. Traffic reduction was also being addressed through proposals such as waste consolidation. Ms Alexander stated that the Scheme enabled the prioritisation of local people over through traffic and the pedestrian and cyclist over the car. There would also be also safer crossings, a reduction in noise and emissions and new lighting and paving. It was a neutral impact Project with the modelling setting out that 88% of streets would see a reduction in traffic or no noticeable change and less than 1% seeing a noticeable increase.

- 4.13 Ms Alexander commented that the Partnership recognised that this was a very complex Scheme and there were some frustrations with the consultation proposals as presented. She requested an air quality impact assessment. She also believed there needed to be greater clarity on the aim to protect the side streets. There had been a delay to the Project for a number of valid reasons but it had caused some local mistrust about the Scheme which was frustrating to the Partnership given that they believed it was very positive for the area. It was also very difficult to consult without the TfL bus consultation proposals being made available. It was a once in a generation opportunity to dramatically improve this important neighbourhood, for the Council to demonstrate a commitment to the local community and to secure significant investment from TfL and the private sector.
- 4.14 Michael Bolt then addressed the Committee. He stated that the Marylebone Association's evidence particularly focussed on the south side of Marylebone Road with the St Marylebone Society concentrating on the north side. He informed the Committee that like the Society the Association had originally supported the Scheme in principle. However, they now had more reservations about it. They had supported the original proposal which was to keep the same number of lanes but allow the traffic to flow in different directions. The current scheme, however, substantially reduced lane capacity along significant lengths of Baker Street and Gloucester Place. He could understand the reasoning for this to have wider pavements, more areas for buses to stop and have segmented bicycle lanes. However, at the same time there was a lot of traffic and the concern was that motorists would attempt to travel through residents' areas.
- 4.15 Mr Bolt expressed concerns regarding the lack of a left turn at Gloucester Place. He made the point that traffic not being able to turn on to Marylebone

Road would have to turn off earlier to York Street then Upper Montague Street or Seymour Place. There was a similar situation in Baker Street with only taxis and buses being able to get to the top of the street. Traffic would have to go via York Street or Paddington Street or impact on Marylebone further. He also referred to not being able to turn right on to Oxford Street when travelling south down Orchard Street. This would direct the traffic into Mayfair. He added that whilst a two way scheme could work in principle, if obvious left or right turns were lost it could make the situation untenable. Mr Bolt queried why the Scheme was costing £15bn and asked why the traffic could not come south on to Gloucester Place and turn right at the junction. That would in his view prevent the potential for ratruns. It was not essential for traffic to go via Upper Montague Street. He concluded with the point that the Association would like to support the Scheme but could only support it if the proposals were amended.

- 4.16 The Committee then asked a number of questions. The Chairman asked Mr King to respond on the risks of the consultation process potentially being disjointed, including in respect of the TfL bus consultation not having commenced. Mr King replied on the Chairman's point that it was unusual for TfL to carry out their own consultation on bus changes at exactly the same time as the local authority in respect of the highway. They were separate exercises. A huge amount of work had been done by officers, however, to aim towards the consultations taking place over as similar a time period as possible. It was not possible for the Council to make a final recommendation to the Cabinet Member without information having first been obtained from the TfL consultation. He would continue to maintain a dialogue with TfL via the Project Board which he chaired and included both TfL and Westminster officers. Mr King also responded to some of the points raised by the witnesses. Officers would continue to work closely with the representatives of Baker Street Quarter Partnership, Marylebone Association and St Marylebone Society and had offered to hold a technical meeting to discuss the concerns they were raising. Officers were anxious not to pre-judge the consultation exercise. Officers looked forward to responding to each matter that was raised during the consultation. There could potentially be further aspects of the Scheme to be consulted upon. Matters for consideration in the consultation included the amount of traffic and how it is being managed and whether the reasons for the reduction in the carriageway were justifiable. In some locations it would come down to a trade-off between traffic movement or the layout and operation of junctions, particularly as they informed strategic traffic movement or movement of pedestrians. A recommendation would be made to the Cabinet Member to decide which of the trade-offs would need to be considered and how.
- 4.17 Councillor Thomson referred to the Committee's walking tour prior to the meeting where Members had looked to assess the impact of the proposals. He stated that during the tour Mr King had advised that the traffic modelling was able to support the proposals that were being made. Having heard from St Marylebone Society that there was insufficient data provided, he asked whether Mr King could say more about the modelling work that had been carried out. Mr King replied that the reason officers had confidence in the data was that they were currently engaged in a number of traffic modelling

exercises and were working with a small number of consultants who were separately validated by TfL. All of the work from the traffic models and consultants being employed on this study had passed all the tests they had been set so far. The same consultants were being employed as those making the Council's case for the Cycle Superhighway and for the success at Piccadilly Two Way. In terms of observable proof, the Council had the best available. TfL had approved the data for the Baker Street Two Way Scheme at this stage. The next stage would follow the public consultation period.

- 4.18 Councillor Bott expressed concerns that the lack of a left turn at Gloucester Place was likely to lead to traffic heading to the streets where residents of the ward he represents, Marylebone High Street, live. He was also concerned that the top of Baker Street catering for buses and taxis and not cars would potentially lead to motorists heading to Chiltern Street and Marylebone High Street which were already very congested. He asked in terms of the traffic modelling that had been carried out, where was it assumed that the traffic would go? Mr King advised that from the work that had been carried out, the proposals would not lead to significant ratrunning in adjoining streets. The change to a two way scheme would make the main route operate more efficiently. Traffic would be expected to move without backing up. Councillor Bott also queried why motorists would not travel down York Street if they could not turn left at Gloucester Place. Mr King replied that some would go down York Street but it was not believed that this would happen in such numbers that it would adversely affect the character of the street. It was expected that motorists would turn off before Gloucester Place. The feedback received from the consultation would be taken into account prior to discussions taking place with TfL on the viability of the routes.
- 4.19 Councillor Crockett referred to the walking tour prior to the meeting where it had been his understanding that ratrunning would be discouraged by traffic light sequencing which would make it harder for motorists to get back to the main artery and also by the narrowing of the route. He asked why this could not be simply discouraged by traffic backing up in the leading residential streets. Was it also the case that planners were relying on a degree of local knowledge on the part of motorists so that they were put off by the ratrun? Others who were not aware would attempt to come off the main route, possibly with the aid of a Satnav and have an impact. Mr King responded that in terms of TfL's control traffic signals, Active Traffic Management was a 24/7 activity. TfL believed that the traffic junctions they were responsible for the signalling of would work efficiently under this system to avoid the backing up of traffic and avoid ratrunning being seen as an attractive option. After having attempted a ratrunning option to try and get back to the main road, the motorist would be at a less favoured junction and would get further delayed. If the modelling had found that ratrunning would result from the proposals they would not have been approved by Council officers or TfL. It was necessary to ensure that the proposals also enabled residents to reach their neighbourhood without being inconvenienced. When it came to proceeding with the traffic modelling again officers would do this against the criteria of public concern in the consultation to show up where the trade-offs are and where it was necessary to act more in one interest than another.

- 4.20 Councillor Wilkinson made the point that one of the stated benefits of the Scheme was to improve the situation for cyclists. If, however, Option D was selected, there would be a mandatory cycling lane in Gloucester Place with a two metre width. There was still the issue of requiring access for deliveries and when the deliveries took place, a two metre cycle lane would not be that significant. There was also the issue of right turns. A cyclist would generally manoeuvre to the middle of the road to turn right but if the cyclist was kept in a cycle lane, until he or she reached the junction there would be a restriction of movement. Mr King stated that Option D had been seen as the best option to achieve cycling improvements. TfL had looked at a cycle superhighway option for the Gloucester Place / Baker Street area but this was not found to be practical. Option D was in reasonably close proximity to Cycling Superhighway 11 which it was believed would take some of the demand. Officers were looking at some of the proposals in the Tottenham Court Road Two Way including advance stop lines providing an area for cyclists to wait in front of traffic when the lights are red. He confirmed that some origin destination studies had been carried out.
- 4.21 Councillor Mohindra asked whether Satnavs with real time traffic management systems incorporated could be provided with real time traffic information. He also referred to Gloucester Place being reduced from two way to one way then two way again. The traffic from Portman Square to Crawford Street would be heavy and there would also be a cycle scheme. He enquired whether it was intentional to increase traffic flows and slow it down to make it safer for cyclists. Finally he wished to add that he was of the view that a new right turn facility from Allsop Place on to Marylebone Road would be too dangerous. Mr King took the last point first, stating that the reason why TfL and other stakeholders had discounted the right turn was for the reason given by Councillor Mohindra. It appeared to be technically feasible but it was a complicated junction not least because of the slip road. It had been modelled for the purposes of the consultation. Mr King commented in respect of the first question that the facility was not there yet. There was more likely to be a convergence of the technology than not. In terms of the traffic, this would be part of the trade-offs that would have to be considered.
- 4.22 Councillor Dimoldenberg raised two points. Firstly, it was his view that the no left turn at Gloucester Place appeared to be the weakest link in the proposals. Was it because there were two northern routes at Gloucester Place and Baker Street that over time vehicular drivers, including those operating coaches, would turn left at Baker Street? Mr King confirmed this was exactly what was expected to happen. Rather than a weak link this was viewed as a trade-off between strategic traffic and the pedestrian. Councillor Dimoldenberg commented that he believed it was the officers' position that they thought they had the necessary information. However this now needed to be demonstrated to stakeholders in such a way that they could see traffic moving at peak times. Mr King responded that there would come a time when officers would be presenting the final data to the Cabinet Member for the Built Environment. However, this stage had not been reached yet. It was a consultation exercise and the views of the public were required. Further traffic modelling and also simulations would take place following the responses being received.

- 4.23 Councillor Williams asked whether there would be an air quality impact assessment carried out as part of the Project. Mr King informed him that the initial air quality assessment had been carried out by TfL and had found that there was no material impact. It was also the case that over the next couple of years whilst any such scheme was implemented, there would be reduced emissions from new buses and also taxis.
- 4.24 Mr King was asked to make some final points on the concerns that had been raised to date regarding the Scheme. He stated that these related to junctions and perceived ratruns and the impact of the traffic flow through the wider area. Officers would continue to review the matters raised and reflect on the public concerns and the technical aspects in respect of the key junctions such as Gloucester Place, Marylebone Place, Allsop Place and York Street. Conversations would continue with the two amenity societies represented at the meeting, including via future meetings on an 'as necessary' basis, and the Partnership through the Project Management process. The first round of consultation meetings for the north and south of Marylebone was due to conclude on 4 July. By that time it was expected that there would be in excess of 200 responses and it was believed that this would be a suitable background for further meetings with amenity societies. The bus consultation would be expected to commence shortly. Following the consultation, there would be an integrated summary of the consultation outlook in terms of reviewing the responses. This would form the basis for the beginning of the Cabinet Member Report. Mr King offered to update Members on the Project at the Environment P&S meeting scheduled for 9 November 2015. It was not envisaged that all the work leading to the Cabinet Member Report would be completed by then. He also offered to include the Committee in the Cabinet Member Report process. He clarified that the decision for both the south and north of Marylebone Road would be a Westminster led one. This was despite the formal statutory responsibilities where the north of Marylebone Road was managed by TfL and the south was managed by the City Council.
- 4.25 The Chairman thanked all those who had contributed and provided evidence at the meeting. He informed members of the public in attendance that any resident was able to return a consultation response via the website www.bakerstreettwo-way.co.uk. There were two public exhibitions before the close of the consultation, both at the Park Plaza Sherlock Holmes on Thursday 2nd July and Saturday 4th July.

4.26 **RESOLVED:**

The Committee recommended that:

- 1) Should the results of the consultation process lead to a different set of recommendations from Council officers, that the officers be encouraged to give the public every opportunity to respond to this;
- 2) Communications were maintained between Council officers and the two amenity societies and Baker Street Quarter Partnership in attendance at the meeting and also with the wider public and with ward councillors affected by the Scheme;

- 3) Council officers review the materials provided for future consultations. There had been complexity in the presentation data and some contradictory images had been produced which were somewhat misleading; and,
- 4) Members of the Committee to be consulted as part of the Cabinet Member Report process as proposed by Mr King.

5 UPDATE FROM CABINET MEMBERS

- 5.1 The Committee received written updates from the Cabinet Member for the Built Environment, the Cabinet Member for City Management and the Cabinet Member for Sustainability and Parking on significant matters within their portfolios.
- 5.2 The Chairman welcomed Councillor Heather Acton, Cabinet Member for Sustainability and Parking and Councillor Richard Beddoe, Cabinet Member for City Management to the meeting. The Committee initially put questions to and received responses from Councillor Acton on the following matters that were relevant to the Sustainability and Parking portfolio:
- 5.3 Sustainability - Councillor Wilkinson asked Councillor Acton what she perceived to be the biggest issues in terms of promoting sustainability. She replied that the biggest issue was air quality. There was also modal shift from motorised vehicles to cycling and walking. This was linked to the parking aspect of her portfolio. Other major issues were energy and biodiversity.
- 5.4 Junction of Horseferry Road and Millbank - Councillor Dimoldenberg asked if there was an update on a suggested scheme to improve the junction of Horseferry Road and Millbank following the death of a cyclist in the vicinity. This had been referred to at the previous meeting of the Committee in April. Councillor Acton advised that she had written to TfL, offering to work with them to make the junction safer but as yet had not received a reply. She confirmed to Councillor Dimoldenberg that her letter had been copied to the Mayor. She would be writing again to TfL and Martin Low, City Transport Advisor, would again be contacting them in order to progress this matter.
- 5.5 Vehicle Idling – Councillor Williams enquired whether any fixed penalty notices had been issued by Marshals in relation to stationary vehicles parked by the roadside with their engines idling. The formal enforcement of the idling legislation had commenced on 1 June 2015. Councillor Acton stated that none had been issued to date. Only two motorists so far had not responded on the occasions Marshals had requested drivers to switch off their engines when their vehicles were stationary. Councillor Acton provided Members with the leaflets informing motorists of the benefits of not leaving their engines running in these circumstances.

- 5.6 Operation Neon – Councillor Crockett wished to be advised where the hotspots were where the multi-agency, high visibility enforcement operations were taking place to deter illegal cab activity. Did these include Dover Street or close to the Royal Opera House where he believed there were particular issues? Councillor Acton confirmed that Dover Street, Langham Street and Berkeley Street were included as locations where enforcement operations had taken place. Operation Neon had proven to be a success so far and further operations would be planned throughout the year. She did not believe that Floral Street where the Royal Opera House is situated had been included as one of the locations and she would investigate adding it to the list.
- 5.7 Pedicabs - Councillor Thomson asked whether Operation Neon could be extended to pedicabs. The Cabinet Member replied that the Council did not have control over pedicabs as a whole. It was only possible to take action if a specific pedicab was causing an obstruction on the highway or pavement or there was noise nuisance emanating from it. She believed that there were efforts to remove pedicabs from the streets of Westminster via a Private Members' Bill. Both the Council and the Mayor supported their removal. In response to a further question from Councillor Thomson, she added that she would look into whether there were further details on the Private Members' Bill.
- 5.8 Councillor Mohindra believed he had witnessed the Police stopping pedicabs due to lack of insurance and asked what the position was in relating to this. Councillor Acton stated that she was not aware that the Police had powers to remove pedicabs from the street but she would check.
- 5.9 Residential Electric Vehicle Recharging Proposal – Councillor Bott asked about the usage of recharging bays and whether a charging regime currently existed. Councillor Acton replied that the majority of points were used a minimum of twice a day. The average stay was four and a half hours. Some of the Parking Occupancy Survey data had been received and this showed there were charging points that were 100% used. There was pan London pressure for a charging regime for electric vehicles. At the moment the Council did not charge for parking and electricity for electric vehicles. However, it was unlikely to be sustainable in the long run not to have a charging regime in place.
- 5.10 Councillor Gotz asked whether electric vehicle charging bays were being used for appropriate purposes as he had witnessed the bays being used as advertising hoardings in Berkeley Square. Councillor Acton thanked him for this information and informed him that the Council had powers in relation to the level of advertising permitted in the vicinity of residents' parking.
- 5.11 Councillor Beddoe then responded to questions from Members on the following matters that were relevant to the City Management portfolio:
- 5.12 Pavements - Councillor Williams asked whether the process of reviewing pavements was reactive or proactive. He had particular concerns regarding the pavement outside Tesco in Lupus Street. The Cabinet Member replied

that it was both reactive and proactive. If an issue was brought to his attention he would ask a highways officer to take a look at it. There was a repair programme in place. He would be following his predecessor's lead and would be writing to each ward councillor asking for suggestions for improvements during the following Council year.

- 5.13 Management of building sites - Councillor Dimoldenberg raised the matter of the infrastructure around the two substantial building sites in Paddington Street / Chiltern Street creating an informal traffic system which was being policed by those employed by the contractors. Councillors Dimoldenberg and Scarborough had both been contacted by residents and businesses that were unhappy with the arrangement. There had been a bad accident in that area the previous week. Officers had advised him that the accident was not directly connected to the informal traffic system. However, there were building sites across Westminster which were being inappropriately managed. Councillor Beddoe was asked about accountability in terms of the Paddington Street / Chiltern Street sites. He advised that accountability generally rested with the contractors. He would investigate the circumstances at the building sites in Paddington Street / Chiltern Street, particularly in the light of the accident and assess whether specific action needed to be taken. The building management plan would be examined in order to establish whether it was being complied with.
- 5.14 Fly-tipping - Councillor Dimoldenberg referred to a fly-tipping epidemic in North Paddington. He expressed the view that it was necessary to catch the people involved and set an example. It was also necessary for the Council to respond more swiftly in cleaning up the mess. Councillor Beddoe made the point that the Council generally had quick response times in respect of street cleaning, particularly if an issue was reported. It was very much the intention to catch the people who were responsible for fly-tipping but doing so was difficult. Widespread CCTV was controversial for issues such as fly-tipping (which did not involve life threatening crimes), including amongst residents who were concerned that they were being spied upon.
- 5.15 Councillor Wilkinson drew Members' attention to fly-tipping in Warwick Ward. She commented that inspectors and residents associations had brought to light that one of the issues was the dumping of blue bags. It was her belief that residents did not realise that the blue bags were meant for recycling on the door step. Instead they were often kept at the side of bins which was considered fly-tipping. Councillor Beddoe advised Members that it was currently recycling week and there were forty recycling champions around the borough to assist. The possible options were either to continue to educate people on recycling or potentially prosecute. Prosecution was not easy given that recriminating evidence needed to be found. Ultimately it was behavioural change that was needed.
- 5.16 Public conveniences – Councillor Thomson asked whether there were any long term solutions regarding Westminster's public conveniences at Covent Garden. The performance of the contractor, Carlisle Cleaning, had not improved. The Cabinet Member agreed that it was the case that the contractors were not fulfilling their obligations. It was a loss making operation.

If the public conveniences were brought back under Council control (which was not a statutory obligation) it would be very expensive and funds would have to be reallocated from elsewhere, potentially where the Local Authority did have a statutory obligation. There was no obvious quick solution. He would be meeting with Stuart Love, Strategic Director, City Management, later in the week to consider whether there were any incentives which would improve contractor performance.

5.17 In response to Councillor Mohindra's question as to whether it was possible for the Council to undertake the works at the public conveniences at Covent Garden and cross charge the contractor, Councillor Beddoe advised that it did not have the specific staff required to undertake the works. It would be necessary to pay someone else to do this.

5.18 Highways – Councillor Crockett made the point that some Local Authority Highways departments sub-contract inspections. He commented that the figures were increasingly impressive in terms of hitting the contract targets. However, he wished to know whether there was a provision within the contract for those undertaking repair of the highway to indemnify the Council. Councillor Beddoe responded that he would need to contact Legal and Democratic Services in order to answer this question. It was agreed that Councillor Crockett would send the question in more detail via e-mail to Councillor Beddoe and copy in Mark Ewbank, Scrutiny Manager.

5.19 **ACTION:** The following actions arose:

- That the Cabinet Member for Sustainability and Parking write again to TfL to request that works are undertaken to improve the junction of Horseferry Road and Millbank (**Councillor Action and Martin Low, City Transport Advisor**)
- That it be investigated whether Floral Street shall be included as a location for Operation Neon (**Councillor Acton and Mr Low to contact TfL**).
- That information be sought on whether there is a current Private Members' Bill relating to pedicabs (**Councillor Acton and Mr Low**)
- That it be checked whether the Police have any powers to remove pedicabs from the street (**Councillor Acton and Mr Low**)
- That the Cabinet Member for City Management investigate the circumstances at the building sites in Paddington Street / Chiltern Street, particularly in the light of the accident which took place in the locality and assess whether specific action needs to be taken (**Councillor Beddoe and Stuart Love, Strategic Director City Management**)
- That Councillor Crockett contact Councillor Beddoe with details of his question on whether there was a provision within the contract for those undertaking repair of the highway to indemnify the Council (**Councillor Crockett also to copy in Mark Ewbank**).

5.20 **RESOLVED:** That the contents of the Cabinet Member Updates be noted.

6 PRESS RELEASES

- 6.1 The Committee decided not to produce a press release in relation to the items on the agenda at this time.

7 ANNUAL WORK PROGRAMME AND ACTION TRACKER

- 7.1 It was agreed that an update on the Baker Street Two Way Project would be scheduled in the Work Programme for the Committee meeting on 9 November 2015. It was noted that Councillor Williams had requested at the previous meeting of the Committee that Members consider a follow-up item on air quality (following the agenda item in March 2015). This would be provisionally scheduled for the next meeting of the Committee on 8 September 2015.
- 7.2 The Chairman made the point that the external meeting had been well attended and it had been helpful in terms of Members undertaking the guided walking tour prior to the meeting and being able to examine the proposals in the Baker Street locality itself. There was the opportunity to visit other specific Westminster locations when applicable to the items on the agenda and potentially hold meetings externally rather than at City Hall.
- 7.3 **RESOLVED:** That the Work Programme be updated as set out in paragraph 7.1.

8 ANY OTHER BUSINESS THE CHAIRMAN CONSIDERS URGENT

- 8.1 There was no additional business for the Committee to consider.

9 MINUTES

- 9.1 **RESOLVED:** That the confidential minutes of the meeting held on Monday 13 April 2015 be signed by the Chairman as a correct record of proceedings.

The Meeting ended at 9.19 pm

CHAIRMAN: _____

DATE _____